

Message Text

CONFIDENTIAL

PAGE 01 BERLIN 00426 071627Z

43

ACTION EUR-25

INFO OCT-01 ISO-00 EURE-00 SAJ-01 ACDA-19 IO-14 NIC-01

SSO-00 NSCE-00 USIE-00 INRE-00 CIAE-00 DODE-00 PM-07

H-03 INR-10 L-03 NSAE-00 NSC-07 PA-04 RSC-01 PRS-01

SPC-03 SS-20 DRC-01 /121 W
----- 022422

O 071615Z MAR 74

FM USMISSION BERLIN

TO SECSTATE WASHDC IMMEDIATE 3089

AMEMBASSY BONN IMMEDIATE

C O N F I D E N T I A L BERLIN 0426

E.O. 11652: GDS

TAGS: PGOV, GE, GW, WB

SUBJECT: BK/L ON BRUECKMANN CASE

REF: A) STATE 45440; B) BERLIN 415

1. CHANGES IN BK/L SUGGESTED BY DEPARTMENT WILL GENERALLY SHARPEN BK/L. SUGGESTION PARA 2(B) OF REF A THAT FINAL PARAGRAPH OF BK/L SHOULD BE SINGLE SENTENCE THAT DOES NOT "ASK SENAT TO DO MORE THAN IT IS COMPETENT TO DO AND APPEAR TO ESTABLISH AN OFFICIAL RELATIONSHIP BETWEEN IT AND FRG CONSTITUTIONAL COURT" APPEARS TO US, HOWEVER, TO BE BASED ON MISCONCEPTION. BK/L(67)10 ASSUMED THAT SENAT WOULD BE USED BY AK TO PASS ALLIED VIEWS TO CONSTITUTIONAL COURT. ITS FINAL PARAGRAPH READS:

"THE AK REQUESTS YOU TO ENSURE THAT, SHOULD THE OCCASION ARISE FOR VIEWS TO BE SUBMITTED TO THE FEDERAL CONSTITUTIONAL COURT BY THE SENAT OR THE HOUSE OF REPRESENTATIVES, SUCH VIEWS SHOULD TAKE ACCOUNT OF THE CONTENTS OF THE PRESENT LETTER."

2. SENAT IS THUS UNDER INSTRUCTION DATING BACK TO 1967
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 BERLIN 00426 071627Z

THAT IT MAY AND CAN COMMUNICATE WITH CONSTITUTIONAL

COURT IN APPROPRIATE CASE, BUT THAT VIEWS IT GIVES MUST
BE CONSISTENT WITH ALLIED VIEW OF SITUATION. DISTINCTION
BETWEEN FRG AND WEST BERLIN IN CONSTITUTIONAL COURT
MATTERS MIGHT BE EMPHASIZED BY DRAWING COURT'S ATTENTION
TO ALLIED VIEWS IN TWO CHANNELS RATHER THAN ONE
ON BALANCE, THEREFORE, WE THINK IT WOULD BE DESIRABLE TO
RETAIN FIRST TWO SENTENCES OF FINAL PARAGRAPH OF BK/L
SET FORTH REF B.

3. WE AGREE IT WOULD BE APPROPRIATE TO ADD REFERENCE TO
"COURT" IN FINAL SENTENCE OF BK/L.KLEIN

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DOCUMENTS, EXTRADITION, COURTS, TRIALS
Control Number: n/a
Copy: SINGLE
Draft Date: 07 MAR 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974BERLIN00426
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: n/a
From: BERLIN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740362/aaaacflz.tel
Line Count: 72
Locator: TEXT ON-LINE
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: A) STATE 45440; B) BERLIN 415
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 06 MAY 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <06 MAY 2002 by shawdg>; APPROVED <28 JAN 2003 by GolinoFR>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: BK/L ON BRUECKMANN CASE
TAGS: PGOV, GC, GE, WB, (BRUECKMANN, INGRID)
To: STATE BONN
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005